

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:18-cv-00575-ABJ**

SCHAERR v. UNITED STATES DEPARTMENT OF  
JUSTICE et al  
Assigned to: Judge Amy Berman Jackson  
Cause: 05:552 Freedom of Information Act

Date Filed: 03/14/2018  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**GENE C. SCHAERR**

represented by **Gene C. Schaerr**  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**UNITED STATES DEPARTMENT  
OF JUSTICE**

represented by **Laura Ann Hunt**  
U.S. DEPARTMENT OF JUSTICE  
Civil Division, Federal Programs Branch  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Marina Utgoff Braswell**  
U.S. ATTORNEY'S OFFICE FOR THE  
DISTRICT OF COLUMBIA  
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Email: [Marina.Braswell@usdoj.gov](mailto:Marina.Braswell@usdoj.gov)  
**TERMINATED: 04/20/2018**

**Defendant**

**OFFICE OF THE DIRECTOR OF  
NATIONAL INTELLIGENCE**

represented by **Laura Ann Hunt**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Marina Utgoff Braswell**  
(See above for address)  
**TERMINATED: 04/20/2018**

**Defendant**

**NATIONAL SECURITY AGENCY**

represented by **Laura Ann Hunt**  
(See above for address)  
**LEAD ATTORNEY**

ATTORNEY TO BE NOTICED

**Marina Utgoff Braswell**  
 (See above for address)  
 TERMINATED: 04/20/2018

**Defendant**

**CENTRAL INTELLIGENCE  
 AGENCY**

represented by **Laura Ann Hunt**  
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 LEAD ATTORNEY  
 ATTORNEY TO BE NOTICED

**Marina Utgoff Braswell**  
 (See above for address)  
 TERMINATED: 04/20/2018

**Defendant**

**UNITED STATES DEPARTMENT  
 OF STATE**

represented by **Laura Ann Hunt**  
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 LEAD ATTORNEY  
 ATTORNEY TO BE NOTICED

**Marina Utgoff Braswell**  
 (See above for address)  
 TERMINATED: 04/20/2018

Date Filed	#	Docket Text
03/14/2018	<u>1</u>	COMPLAINT against All Defendants ( Filing fee \$ 400 receipt number 0090-5373922) filed by GENE C. SCHAERR. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Exhibit L, # <u>13</u> Exhibit M, # <u>14</u> Exhibit N, # <u>15</u> Exhibit O, # <u>16</u> Exhibit P, # <u>17</u> Exhibit Q, # <u>18</u> Exhibit R, # <u>19</u> Exhibit S, # <u>20</u> Exhibit T, # <u>21</u> Exhibit U, # <u>22</u> Civil Cover Sheet, # <u>23</u> Summons US Attorney, # <u>24</u> Summons US Department of Justice, # <u>25</u> Summons US Attorney General, # <u>26</u> Summons Office of the Director of National Intelligence, # <u>27</u> Summons State Department, # <u>28</u> Summons CIA, # <u>29</u> Summons NSA)(Schaerr, Gene) (Entered: 03/14/2018)
03/16/2018	<u>2</u>	CIVIL COVER SHEET ( <i>MODIFIED</i> ) by GENE C. SCHAERR filed by GENE C. SCHAERR.(Schaerr, Gene) (Entered: 03/16/2018)
03/19/2018		Case Assigned to Judge Amy Berman Jackson. (zsb) (Entered: 03/19/2018)
03/19/2018	<u>3</u>	SUMMONS (7) Issued Electronically as to CENTRAL INTELLIGENCE AGENCY, NATIONAL SECURITY AGENCY, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE, UNITED STATES DEPARTMENT OF JUSTICE, UNITED STATES DEPARTMENT OF STATE, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Notice and Consent)(zsb) (Entered: 03/19/2018)
04/05/2018	<u>4</u>	NOTICE of Appearance by Marina Utgoff Braswell on behalf of CENTRAL INTELLIGENCE AGENCY, NATIONAL SECURITY AGENCY, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE, UNITED STATES DEPARTMENT OF JUSTICE, UNITED STATES DEPARTMENT OF STATE (Braswell, Marina) (Entered: 04/05/2018)
04/20/2018	<u>5</u>	NOTICE OF WITHDRAWAL OF APPEARANCE as to CENTRAL INTELLIGENCE AGENCY, NATIONAL SECURITY AGENCY, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE, UNITED STATES DEPARTMENT OF JUSTICE, UNITED STATES DEPARTMENT OF STATE. Attorney Marina Utgoff Braswell terminated. (Braswell, Marina) (Entered: 04/20/2018)
04/23/2018	<u>6</u>	MOTION for Extension of Time to respond re <u>1</u> Complaint by CENTRAL INTELLIGENCE AGENCY, NATIONAL SECURITY AGENCY, OFFICE OF THE

		DIRECTOR OF NATIONAL INTELLIGENCE, UNITED STATES DEPARTMENT OF JUSTICE, UNITED STATES DEPARTMENT OF STATE (jf) (Entered: 04/23/2018)
04/24/2018	<u>7</u>	NOTICE of Appearance by Laura Ann Hunt on behalf of All Defendants (Hunt, Laura) (Entered: 04/24/2018)
04/24/2018		MINUTE ORDER granting <u>6</u> Motion for Extension of Time. Defendants must file a responsive pleading by May 7, 2018. SO ORDERED. Signed by Judge Amy Berman Jackson on 4/24/2018. (lcabj2) (Entered: 04/24/2018)
05/07/2018	<u>8</u>	ANSWER to Complaint by CENTRAL INTELLIGENCE AGENCY, NATIONAL SECURITY AGENCY, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE, UNITED STATES DEPARTMENT OF JUSTICE, UNITED STATES DEPARTMENT OF STATE.(Hunt, Laura) (Entered: 05/07/2018)
05/08/2018	<u>9</u>	ORDER. Before the Court in this FOIA case are a complaint and an answer. The requirements of Local Civil Rule 16.3 and Rule 26(f) of the Federal Rules of Civil Procedure appear to be inapplicable. Defendants shall file a dispositive motion or, in the alternative, a report setting forth the schedule for the completion of its production of documents to plaintiff, on or before June 5, 2018. See Order for details. SO ORDERED. Signed by Judge Amy Berman Jackson on 5/8/2018. (lcabj2) (Entered: 05/08/2018)
06/05/2018	<u>10</u>	STATUS REPORT by CENTRAL INTELLIGENCE AGENCY, NATIONAL SECURITY AGENCY, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE, UNITED STATES DEPARTMENT OF JUSTICE, UNITED STATES DEPARTMENT OF STATE. (Hunt, Laura) (Entered: 06/05/2018)
06/08/2018		MINUTE ORDER. The parties must file a joint status report by July 13, 2018. SO ORDERED. Signed by Judge Amy Berman Jackson on 6/8/2018. (lcabj2) (Entered: 06/08/2018)
07/13/2018	<u>11</u>	Joint STATUS REPORT by CENTRAL INTELLIGENCE AGENCY, NATIONAL SECURITY AGENCY, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE, UNITED STATES DEPARTMENT OF JUSTICE, UNITED STATES DEPARTMENT OF STATE. (Hunt, Laura) (Entered: 07/13/2018)
07/16/2018		MINUTE ORDER. Defendants Department of Justice, Office of the Director of National Intelligence, Central Intelligence Agency, and Department of State must file a status report on the production of documents by September 5, 2018. With respect to defendant National Security Agency, the Court acknowledges the complexity of the review required but it is not persuaded that the six month time period is reasonable given the relatively small number of records involved. Therefore, defendant NSA must endeavor to do as much as possible by September 5, 2018 and provide the Court with an adjusted proposed date of completion in the status report to be filed on that date. SO ORDERED. Signed by Judge Amy Berman Jackson on 7/16/2018. (lcabj2) (Entered: 07/16/2018)
08/18/2018	<u>12</u>	MOTION for Hearing <i>in-person status conference</i> by GENE C. SCHAERR (Schaerr, Gene) Modified event title on 8/21/2018 (znmw). (Entered: 08/18/2018)
08/20/2018		MINUTE ORDER. The <u>12</u> Motion for In-Person Status Conference is DENIED without prejudice. Any legal questions related to a Glomar response will not be resolved based on oral representations made at a status conference. If it turns out that the agency intends to rely on such a response, these questions will be presented for resolution with supporting affidavits and briefing in the form of a motion for summary judgment or partial summary judgment. SO ORDERED. Signed by Judge Amy Berman Jackson on 8/20/2018. (lcabj2) (Entered: 08/20/2018)
09/05/2018	<u>13</u>	STATUS REPORT by CENTRAL INTELLIGENCE AGENCY, NATIONAL SECURITY AGENCY, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE, UNITED STATES DEPARTMENT OF JUSTICE, UNITED STATES DEPARTMENT OF STATE. (Hunt, Laura) (Entered: 09/05/2018)
09/06/2018		MINUTE ORDER. Defendants must file a status report by November 19, 2018. SO ORDERED. Signed by Judge Amy Berman Jackson on 9/6/2018. (lcabj2) (Entered: 09/06/2018)

11/19/2018	<u>14</u>	STATUS REPORT by CENTRAL INTELLIGENCE AGENCY, NATIONAL SECURITY AGENCY, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE, UNITED STATES DEPARTMENT OF JUSTICE, UNITED STATES DEPARTMENT OF STATE. (Hunt, Laura) (Entered: 11/19/2018)
11/20/2018		MINUTE ORDER. Defendants must submit a status report to the Court by December 19, 2018. SO ORDERED. Signed by Judge Amy Berman Jackson on 11/20/2018. (lcabj2) (Entered: 11/20/2018)
12/19/2018	<u>15</u>	STATUS REPORT by CENTRAL INTELLIGENCE AGENCY, NATIONAL SECURITY AGENCY, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE, UNITED STATES DEPARTMENT OF JUSTICE, UNITED STATES DEPARTMENT OF STATE. (Hunt, Laura) (Entered: 12/19/2018)
12/20/2018		MINUTE ORDER. In light of the status report <u>15</u> , it is ORDERED that defendants' motion for summary judgment must be filed by March 15, 2019; plaintiff's opposition and any cross-motion for summary judgment must be filed by April 5, 2019; defendants' reply and opposition must be filed by April 26, 2019; and plaintiff's reply must be filed by May 10, 2019. It is FURTHER ORDERED that the Court will schedule any hearing on a date that is convenient for the parties and the Court if and when it determines a hearing is necessary. Signed by Judge Amy Berman Jackson on 12/20/2018. (lcabj2) (Entered: 12/20/2018)
02/14/2019	<u>16</u>	Unopposed MOTION to Modify <i>the Summary Judgment Briefing Schedule</i> by CENTRAL INTELLIGENCE AGENCY, NATIONAL SECURITY AGENCY, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE, UNITED STATES DEPARTMENT OF JUSTICE, UNITED STATES DEPARTMENT OF STATE (Attachments: # <u>1</u> Text of Proposed Order)(Hunt, Laura) (Entered: 02/14/2019)
02/19/2019		MINUTE ORDER granting <u>16</u> Motion to Modify Briefing Schedule. Defendants' motion for summary judgment must be filed by April 30, 2019. Plaintiff's opposition and cross-motion for summary judgment must be filed by May 21, 2019. Defendants' reply and cross-opposition must be filed by June 11, 2019. Plaintiff's cross-reply must be filed by June 25, 2019. SO ORDERED. Signed by Judge Amy Berman Jackson on 2/19/2019. (lcabj2) (Entered: 02/19/2019)
04/30/2019	<u>17</u>	Unopposed MOTION for Extension of Time to <i>File Defendants' Summary Judgment Motion</i> by CENTRAL INTELLIGENCE AGENCY, NATIONAL SECURITY AGENCY, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE, UNITED STATES DEPARTMENT OF JUSTICE, UNITED STATES DEPARTMENT OF STATE (Attachments: # <u>1</u> Text of Proposed Order)(Hunt, Laura) (Entered: 04/30/2019)
05/01/2019		MINUTE ORDER granting <u>17</u> Motion for Extension of Time. Defendants' motion for summary judgment is due on May 14, 2019; plaintiff's opposition and cross-motion for summary judgment is due on June 4, 2019; defendants' reply and cross-opposition is due on June 25, 2019; and plaintiff's reply is due on July 9, 2019. SO ORDERED. Signed by Judge Amy Berman Jackson on 5/1/2019. (lcabj2) (Entered: 05/01/2019)